

United States District Court

AO 245D (Rev. 09/12)

Sheet 1- Judgment in a Criminal Case for Revocations

Eastern District of Missouri

UNITED STATES OF AMERICA

v.

KENNETH A KIEL

JUDGMENT IN A CRIMINAL CASE (For Revocation of Probation or Supervised Release)

Case Number: 4:10CR00595 JCH-1

USM Number: 09422-424

John Beal

Defendant's Attorney

THE DEFENDANT:

- ☒ admitted guilt to violation of condition(s) Standard Condition #3 and #9 of the term of supervision.
- ☒ was found in violation of condition(s) General Condition after denial of guilt.

The defendant is adjudicated guilty of these violations:

<u>Violation Number</u>	<u>Nature of Violation</u>	<u>Violation Ended</u>
General Condition	The defendant shall not commit another federal, state, or local crime.	3/25/16
Standard Condition #3	The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.	3/25/16
Standard Condition #9	The defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer.	3/25/16

The defendant is sentenced as provided in pages 2 through 6 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

☐ The defendant has not violated condition(s) _____ and is discharged as to such violation(s) condition.

It is ordered that the defendant must notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant must notify the court and United States attorney of material changes in economic circumstances.

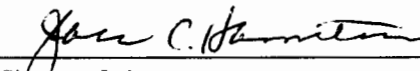
Last Four Digits of Defendant's Soc. Sec. NO.:

3586

Defendant's Date of Birth:

1/14/68May 26, 2016

Date of Imposition of Judgment



Signature Judge

JEAN C. HAMILTON

UNITED STATES DISTRICT JUDGE

Name and Title of Judge

May 26, 2016

Date

DEFENDANT: KENNETH A KIEL

CASE NUMBER: 4:10CR00595 JCH-1

District: Eastern District of Missouri

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of 14 months.

This term consists of 14 months on each count, all terms to be served concurrently.

☒ The court makes the following recommendations to the Bureau of Prisons:

That the defendant be placed as close as possible to FCI Greenville, Illinois.

It is recommended that the defendant participate in the Financial Responsibility Program while incarcerated, if that is consistent with Bureau of Prisons policies.

☒ The defendant is remanded to the custody of the United States Marshal.

☐ The defendant shall surrender to the United States Marshal for this district:

☐ at _____ a.m./pm on _____

☐ as notified by the United States Marshal.

☐ The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:

☐ before 2 p.m. on _____

☐ as notified by the United States Marshal

☐ as notified by the Probation or Pretrial Services Office

MARSHALS RETURN MADE ON SEPARATE PAGE

DEFENDANT: KENNETH A KIEL
CASE NUMBER: 4:10CR00595 JCH-1
District: Eastern District of Missouri

CRIMINAL MONETARY PENALTIES

The defendant must pay the following total criminal monetary penalties under the schedule of payments set forth on Sheet 6.

	<u>Assessment</u>	<u>Fine</u>	<u>Restitution</u>
Totals:	<u>\$700.00</u>	<u> </u>	<u>\$125,343.50</u>

☐ The determination of restitution is deferred until . *An Amended Judgment in a Criminal Case (AO 245C)*
will be entered after such a determination.

☐ The defendant shall make restitution (including community restitution) to the following payees in the amount listed below.

If the defendant makes a partial payment, each payee shall receive an approximately proportional payment unless specified otherwise in the priority order or percentage payment column below. However, pursuant to 18 U.S.C. 3664(i), all nonfederal victims must be paid before the United States is paid.

<u>Name of Payee</u>	<u>Total Loss*</u>	<u>Restitution Ordered</u>	<u>Priority or Percentage</u>
State Farm Insurance Claim No. 256327119 Missouri SUI CRT 4700 South Providence Road Columbia, Missouri 65203		\$22,798.50	
Country Mutual Insurance Claim No. 1000016374 Attn: Ken Holt 12250 Weber Hill Road #130 St. Louis, Missouri 63127		\$10,667.31	
American Family Insurance Claim No. 256290638 P.O. Box 530 Schofield, Wisconsin 54476		\$18,510.00	
Safeco Claim No. 1240908730080080000001 Dallas Claims 1600 North Collins, Suite 3000 Richardson, Texas 75083-3960		\$15,600.00	
Total from second page of restitution and non-public victims:		\$57,767.69	
<u>Totals:</u>	<u> </u>	<u>\$125,343.50</u>	

☐ Restitution amount ordered pursuant to plea agreement

☐ The defendant must pay interest on restitution or a fine more than \$2,500, unless the restitution or fine is paid in full before the fifteenth day after the date of the judgment, pursuant to 18 U.S.C. § 3612(f). All of the payment options on Sheet 6 may be subject to penalties for delinquency and default, pursuant to 18 U.S.C. § 3612(g).

☒ The court determined that the defendant does not have the ability to pay interest and it is ordered that:

☒ The interest requirement is waived for the. ☐ fine ☒ restitution.

☐ The interest requirement for the ☐ fine ☐ restitution is modified as follows:

* Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18 for offenses committed on or after September 13, 1994 but before April 23, 1996.

DEFENDANT: KENNETH A KIELCASE NUMBER: 4:10CR00595 JCH-1District: Eastern District of Missouri**ADDITIONAL TERMS FOR CRIMINAL MONETARY PENALTIES**

<u>Name of Payee</u>	<u>Total Loss</u>	<u>Restitution Ordered</u>	<u>Priority or Percentage</u>
Liberty Mutual Claim No. 10059970 Total Los/Theft Unit			
1804 Naper Boulevard, #400 Naperville, Illinois 60563		\$11,741.00	
Stony Tire			
19870 Stony Island Lynwood, Illinois 60411		\$1,500.00	
Total:		\$13,241.00	

* Findings for the total amount of losses are required under Chapters 1 09A, 110, 110A, and 11 3A of Title 18 for offenses committed on or after September 13, 1994 but before April 23, 1996.

DEFENDANT: KENNETH A KIEL
CASE NUMBER: 4:10CR00595 JCH-1
District: Eastern District of Missouri

ADDITIONAL TERMS FOR CRIMINAL MONETARY PENALTIES

The defendant shall receive credit for any payments already paid. All criminal monetary penalties are due in full immediately. The defendant shall pay all criminal monetary penalties through the Clerk of Court. If the defendant cannot pay in full immediately, then the defendant shall make payments under the following minimum payment schedule: During incarceration, it is recommended that the defendant pay criminal monetary penalties through an installment plan in accordance with the Bureau of Prisons' Inmate Financial Responsibility Program at the rate of 50% of the funds available to the defendant. If the defendant owes any criminal monetary penalties when released from incarceration, then the defendant shall make payments in monthly installments of at least \$100, or no less than 10% of the defendant's gross earnings, whichever is greater, with payments to commence no later than 30 days after release from imprisonment. Until all criminal monetary penalties are paid in full, the defendant shall notify the Court and this district's United States Attorney's Office, Financial Litigation Unit, of any material changes in the defendant's economic circumstances that might affect the defendant's ability to pay criminal monetary penalties. The defendant shall notify this district's United States Attorney's Office, Financial Litigation Unit, of any change of mailing or residence address that occurs while any portion of the criminal monetary penalties remains unpaid.

DEFENDANT: KENNETH A KIEL
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SCHEDULE OF PAYMENTS

Having assessed the defendant's ability to pay, payment of the total criminal monetary penalties shall be due as follows:

- A ☒ Lump sum payment of \$700 Spec. Assess. \$125,343.50 Restitution due immediately, balance due
☐ not later than _____, or
☒ in accordance with ☐ C, ☐ D, or ☐ E below; or ☒ F below); or
- B ☐ Payment to begin immediately (may be combined with ☐ C, ☐ D, or ☐ E below; or ☐ F below); or
- C ☐ Payment in equal _____ (e.g., equal, weekly, monthly, quarterly) installments of _____ over a period of _____ e.g., months or years), to commence _____ (e.g., 30 or 60 days) after the date of this judgment; or
- D ☐ Payment in equal _____ (e.g., equal, weekly, monthly, quarterly) installments of _____ over a period of _____ e.g., months or years), to commence _____ (e.g., 30 or 60 days) after release from imprisonment to a term of supervision; or
- E ☐ Payment during the term of supervised release will commence within _____ (e.g., 30 or 60 days) after Release from imprisonment. The court will set the payment plan based on an assessment of the defendant's ability to pay.
- F ☒ Special instructions regarding the payment of criminal monetary penalties:

SEE PAGE 5 FOR RESTITUTION PAYMENT TERMS

Unless the court has expressly ordered otherwise in the special instruction above, if this judgment imposes imprisonment, payment of criminal monetary penalties is due during the period of imprisonment. All criminal monetary penalties, except those payments made through the Federal Bureau of Prisons' Inmate Financial Responsibility Program, are made to the clerk of the court.

The defendant will receive credit for all payments previously made toward any criminal monetary penalties imposed.

- ☒ **Joint and Several**
Defendant and Co-defendant Names and Case Numbers (including defendant number), Total Amount, Joint and Several Amount, and corresponding payee, if appropriate.

This obligation is joint and several with Brett Crawford and Brian Lewis Hedrick in this case, meaning that no further payments shall be required after the sum of the amounts actually paid by all defendants has fully covered the compensable injuries

- ☐ The defendant shall pay the cost of prosecution.
- ☐ The defendant shall pay the following court cost(s):

- ☐ The defendant shall forfeit the defendant's interest in the following property to the United States:

Payments shall be applied in the following order: (1) assessment; (2) restitution principal, (3) restitution interest, (4) fine principal, (5) fine interest (6) community restitution.(7) penalties, and (8) costs, including cost of prosecution and court costs.



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UNITED STATES MARSHAL
RETURN OF JUDGMENT IN A CRIMINAL CASE

I have executed this judgment as follows:

The Defendant was delivered on _____ to _____
at _____, with a certified copy of this judgment.

UNITED STATES MARSHAL

By _____
Deputy U.S. Marshal

- ☐ The Defendant was released on _____ to _____ Probation
☐ The Defendant was released on _____ to _____ Supervised Release
☐ and a Fine of _____ ☐ and Restitution in the amount of _____

UNITED STATES MARSHAL

By _____
Deputy U.S. Marshal

I certify and Return that on _____, I took custody of _____
at _____ and delivered same to _____
on _____ F.F.T. _____

U.S. MARSHAL E/MO

By DUSM _____